



**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**SUBDIVISION REVIEW BOARD**

*Promoting the wise use of land  
Helping build great communities*

<b>MEETING DATE</b> April 4, 2016	<b>CONTACT/PHONE</b> Holly Phipps / (805) 781-1162 <a href="mailto:hphipps@co.slo.ca.us">hphipps@co.slo.ca.us</a>	<b>APPLICANT</b> Colin Weyrick	<b>FILE NO.</b> CO14-0057 SUB2014-00015
<b>SUBJECT</b> A request by <b>COLIN WEYRICK</b> for a Vesting Tentative Parcel Map (CO14-0057) and concurrent Conditional Use Permit to 1): subdivide an existing 27.98 acre parcel into three parcels of 3.26, 9.49, and 15.23 acres each for the sale and/or development; and 2) allow the expansion of an existing lumber yard (previously authorized) to allow the phased construction of 10 covered equipment storage structures (One at 12,000 sf, Six at 6,000 sf, and Three at 5,200 sf) that are intended to cover existing building materials stored on-site, the construction of 2 workshops (Two at 3,200 sf) and to allow a mobile trailer that will be used as an office (384 sf) that will total of 77,384 sf. The project is with the Commercial Service, Residential Rural, and Commercial Retail land use category and is located on the east side of Theater Drive in the community of Templeton, in the Salinas River Subarea, North County planning area.			
<b>RECOMMENDED ACTION</b> Approve Vesting Tentative Parcel Map CO14-0057 and Conditional Use Permit SUB2014-00015 based on the findings listed in Exhibit A & C the conditions listed in Exhibit B & D			
<b>ENVIRONMENTAL DETERMINATION</b> A General Rule Exemption (ED15-207) was issued on March 9, 2016.			
<b>LAND USE CATEGORY</b> Commercial Services, Residential Rural, and Commercial Retail	<b>COMBINING DESIGNATION</b> None	<b>ASSESSOR PARCEL NUMBER</b> 040-201-024 & 025 (One parcel with 2 APNs)	<b>SUPERVISOR DISTRICT(S)</b> 1
<b>PLANNING AREA STANDARDS:</b> Compliance with the Templeton Community Design Plan, Fence and Wall Requirement; Theater Drive Limitation on Use, Height, Building Coverage, Landscaping/Screening, Noise, Exterior Lighting, Hours of Operation, Limitation on Use Theater Drive			
<b>LAND USE ORDINANCE STANDARDS:</b> Setbacks, Height, Parking, Fencing and Screening, Landscaping,			
<b>EXISTING USES:</b> Lumber material, equipment storage, existing equipment structure over saw structure			
<b>SURROUNDING LAND USE CATEGORIES AND USES:</b> <i>North:</i> Commercial Services, Public Facilities / Single-family residence, hardware, incidental outdoor storage <i>East:</i> Commercial Retail /undeveloped, Highway 101 <i>South:</i> Residential Rural, Public Facilities / vacant <i>West:</i> Residential Rural / Single-family residences			
<b>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING &amp; BUILDING AT:</b> COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: The project was referred to: County Public Works Department, County Environmental Health Division, Regional Water Quality Control Board, Templeton Community Services District (water, sewer, and fire), and the Templeton Area Advisory Group	
TOPOGRAPHY: Nearly level to gently sloping	VEGETATION: Ruderal, ornamental landscaping, oak trees, riparian
PROPOSED SERVICES: Water supply: Templeton Community Service District (CSD) Sewage Disposal: Templeton CSD Fire Protection: Templeton CSD	ACCEPTANCE DATE: August 26, 2015

## PROJECT HISTORY

The existing business was authorized in 1996 (D940211D) as a plant nursery, building supplies and hardware and a trucking yard located on a parcel (APN: 040-201-046) north of the subject site. The applicant expanded the storage area (lumber yard) south onto the proposed project site (APN: 040-201-024) which was zoned Residential Rural. Building Materials and Hardware is not an allowed use in the Residential Rural category.

On May 15, 2007, a General Plan Amendment was approved (G020007M:C) which changed the 8 acres from Residential Rural to the Commercial Services land use category. Planning area standards were adopted specific to the allowable use of the site, limiting uses to building materials, hardware and incidental outdoor storage, nursery specialties, and vehicle freight terminals. In addition, planning are standards were also adopted for specific requirements to address building height, setbacks, maximum building coverage, landscape screening, noise and exterior lighting.

In December 2009, Conditional Use Permit (CUP) DRC2007-00024 authorized the expansion of the existing lumber/landscaping yard (APN: 040-201-024, 025, and 026). The CUP authorization included:

- a. As-built eight-acre expansion of a lumber and landscape material yard including paving, storage of materials, installation of landscaping, and 50 parking spaces.
- b. Ten covered equipment storage structures to store and screen lumberyard materials, including one 14,000-square foot, six 6,000-square foot, and three 5,300-square foot in size.
- c. One 12,000-square foot sales office.
- d. An approximately 1,500-square foot stationary band saw station.
- e. Expansion of two existing detention basins (approximately 7,000 and 4,320 additional cubic feet each)
- f. A parking modification to reduce the number of required spaces.

Since the 2009 CUP authorization, the use of the eight acre storage yard as a lumberyard was vested through the completion of site improvements and grading. However, the no construction occurred for the covered equipment storage structures and the sales office. Therefore, Conditional Use Permit DRC2007-00024 expired.

An application for the current proposed project was submitted on August 19, 2014 and accepted for processing on August 26, 2015.

## PROJECT DESCRIPTION

The proposed project includes the following elements:

1. Proposed parcel map to create 3-parcels of 3.26, 9.49, and 15.23 acres each for the sale and/or development,
2. The expansion of an existing lumberyard (previously authorized),
3. The phased construction of:
  - a. Ten covered equipment storage structures
    - i. One at 12,000 sf,
    - ii. Six at 6,000 sf,
    - iii. Three at 5,200 sf
  - b. Construction of 2 workshops (2 at 3,200 sf), and
  - c. Mobile trailer that will be used as an office (384 sf)

## PROJECT ANALYSIS / PARCEL MAP

Site Location. The proposed project site is located on one parcel that is approximately 28 acres (APNs: 040-201-024 & 025). This property is zoned Commercial Services, Residential Rural and Commercial Services. Highway 101 runs through a portion of the property dividing the 3.26 acres from the remainder property. The proposed parcel map would divide the existing parcel according to the zoning boundaries.

Section 22.22.060/090 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Residential Rural / Commercial Services / Commercial Retail land use category. The standards are based on the distance from an urban areas, fire response time, type of access serving the property and the topography of the site. Minimum parcel size is based on the largest parcel size as calculated by tests. The proposed parcels meet all requirements.

Existing Configuration is One Legal Parcel with 2-APNS:

Parcel Size	Land Use Category
24.72 ac. (APN: 040-201-024) 3.26 ac. (APN: 040-201-025)	Residential Rural Commercial Services Commercial Retail

Proposed Configuration:

Parcel Size	Land Use Category	Minimum Parcel Size Allowed
Parcel 1 - 3.26 ac.	Commercial Retail (Community water & sewer)	6000 sf
Parcel 2 – 9.49 ac.	Commercial Services (Community water & septic)	1 ac.
Parcel 3 –15.23 ac.	Residential Rural (Response time 15 min. or less, within URL, slopes 0-10%, minimum 40 foot ROW to county road)	5 ac.

### Quimby Fees

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

### Inclusionary Housing Fees

Title 29, the Affordable Housing Fund, establishes an in-lieu fee to create a fund that would help to meet, in part, the housing needs of the County's very low, low, moderate income and workforce households. Section 22.12.080 of Title 22, the Land Use Ordinance, describes the options the applicant may choose to satisfy the requirement.

### Design Standards

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

### PROJECT ANALYSIS / CONDITIONAL USE PERMIT

The use is considered Building Materials and Hardware and is subject to Section 22.30.140 of the Title 22.

#### Land Use Ordinance

<u>Standard</u>	<u>Allowed/Required</u>	<u>Proposed</u>	<u>In-Compliance</u>
Setbacks from property lines: Front Side Rear	10 feet 10 + 4.3 feet = 14.3 feet 15 + 4.3 feet = 19.3 feet	160 feet 44 feet 27 feet	Yes
Height	25 feet	25 feet	Yes
Parking 1 per 500 sf of floor area 1 per 3,000 sf of outdoor use area	12,000/500 = 24 Approximately 268,000-square feet/3,000 = 89 spaces Total 113 parking spaces	70 spaces exists, no new parking proposed  A modification to the parking standards was previously authorized (DRC2007-00024)	Yes
Signage	Maximum aggregate area of 100 square feet	No signage proposed	Yes
Fencing and Screening	Outdoor storage: Solid wall or fencing required on all sides	Six-foot tall solid wooden fence along the southern, western, and portion of the northern boundary, cobblestone fence along the eastern boundary	Yes
Landscaping	Required within setbacks	Landscaping installed along the outer perimeter of the fencing	Yes

## **PLANNING AREA STANDARDS**

### **Section 22.104.090 – Templeton Community Standards**

All Minor Use Permit, Conditional Use Permit, and subdivision applications shall be in conformity and compliance with the Templeton Community Design Plan. This project meets or is conditioned to meet all the Standards and Guidelines of the Templeton Community Design Plan as described below:

#### **Section 22.104.090.C.1. and D.2.- Fence and Wall for Commercial Retail and Commercial Services**

Fence and wall requirement. This standard applies to solid fences and walls that are proposed along public roads and will be visible from the public road. Fences and walls shall be constructed of durable and high quality materials including but not limited to: masonry, river cobblestone, stucco or a combination of wood with stone or stucco columns. Solid wood fences are not allowed unless they are continuously screened with landscaping and maintained. Refer to the Templeton Community Design Plan, page V-16 through V-18, for criteria on fence and wall materials and detailing.

**Staff Comments** - An existing 6 foot tall fence surrounds the lumberyard. There is a 10 foot landscaping buffer between the property line and fence on the east and south property line. A cobblestone wall exists along the eastern property line facing Highway 101. A solid wood fence exists along the eastern line facing the residential properties.

#### **Section 22.104.090.D.3. Height -Theater Drive/Highway 101 Interchange**

The height of structures shall not exceed 25 feet, except that an additional five feet may be utilized for architectural features such as cupolas or gabled vents on no more than one-third the length of any building. This 25-foot height limitation may be increased subject to an adjustment in compliance with Section 22.70.030 subject to a visual study that supports a finding that buildings will have appropriate forms to minimize their visual impact on surrounding properties and Highway 101. On 2006 Assessor's Parcel Number 040-201-024, no buildings or structures exceeding six feet in height shall be permitted within 150 feet of the east property line.

**Staff Comments** – The proposed pole barn structures will have a maximum height of 25 feet at the tallest point. All proposed structures are outside the 150-foot buffer from the east property line. The landscaping buffer required as a condition of the previous authorized use permit has been installed and provides adequate visual screening of the site.

#### **Section 22.104.090.D.3.c – Building Coverage Limitation**

Building ground floor coverage is limited to 20 percent of the site.

**Staff Comments** – The lumber yard site has been previously disturbed, graded or paved. The proposed covered equipment storage structures are intended to cover building materials currently stored onsite. The total building coverage for the existing saw structure and the proposed covered equipment storage is 77,384 sf which is approximately 1.7 acres. The project site is 8.97 acres and the building coverage site of the project site is approximately 18 percent building coverage

#### **Section 22.104.090.D.3.d. – Landscaping / screening**

Upon application for a land use permit or construction permit, a landscaping plan shall be submitted and shall meet the requirements of Chapter 22.16 of the County Land Use Ordinance. The landscaping plan shall include a buffer on the west, south and east sides that is deep enough for staggered in-depth plantings of shrubs and trees (evergreen with incidental

deciduous species) with a minimum 15-foot height at plant maturity, to achieve a solid, natural-appearing screen from most angles of viewing.

A minimum six-foot tall solid fence or screening wall (consistent with the Templeton Community Design Plan) shall be constructed at the interior boundary of the buffer area, and landscaping shall be installed in between the property lines and the fence or wall.

**Staff Comments** – A 10 foot landscape setback currently exists along the eastern and southern property with a solid stone wall along the eastern property line and solid wood fence along the southern property line is consistent with the ordinance.

#### **Section 22.104.090.D.3.e. - Noise**

Upon application for a land use or construction permit, a noise mitigation plan shall be submitted. The plan shall include measures such as buffers, solid fencing, vegetated earthen berms, and site design that would ensure that generation of noise would not significantly affect existing or future residential uses. Orientation of buildings shall be away from Residential Rural properties.

**Staff Comments** – The proposed project is essentially the same as the previously authorized project Conditional Use Permit DRC2007-00024 that has expired. Conditions of Approval were carried over into the project. The previously authorized project incorporated buffers, solid fencing, designated forklift routes, and solid walls facing the property line and were included in the applicant's project description.

Buffers, solid fencing, designated forklift routes, and solid walls facing the property line were included in the applicant's project description. Building Permit (PMT2013-02343) is currently under review which includes sound walls to satisfy the previously authorized Conditions of Approval.

#### **Section 22.104.090.D.3.f. – Exterior Lighting**

Exterior lighting shall be located and designed to direct light downward and to the interior of the site and to avoid the light source being visible from other properties, streets and Highway 101, by such means as shielding and full-cut off lights. A photometric analysis shall be provided with the submittal of any land use permit or change in lighting to determine the extent of off-site lighting and glare.

**Staff Comments** – The hours of operation of the proposed project are 6:00 am to 6:00 pm which reduces the need for exterior lighting. The project will be conditioned that all exterior lighting shall be shielded and downcasting.

#### **Section 22.104.090.D.3.g. – Hours of Operation**

With any land use permit application, hours of operation shall be addressed to minimize nighttime hours of operation including truck deliveries and unloading, to avoid noise impacts onto adjacent residential properties. The hours of operation of the proposed project are 6:00 am to 6:00 pm

**Staff Comments** – The hours of operation of the proposed project are 6:00 am to 6:00 pm to avoid noise impacts for neighboring properties.

#### **Section 22.104.090.D.4.a. – Limitation on use, Theater Drive**

Land uses shall be limited to agricultural processing, agricultural accessory structures, caretaker residence, crop production and grazing, incidental offices, accessory storage, outdoor storage yards, and vehicle and freight terminals.

**Staff Comments** – The site will continue to be used for outdoor storage of lumber and other building materials and a vehicle freight terminal consistent with the allowable uses. The intent of the proposed project is to provide covered work areas and covered storage for the existing lumberyard.

### **Templeton Community Design Plan**

**Guideline V.C.1: Walls and Fences:** Fences and walls should be no more than 6 feet – 6 inches high, except when adjacent to freeways, railroads, or incompatible uses, or when they are required by the County or State for sound attenuation and no other alternative is available. Walls and solid fences 50 to 80 feet or longer should incorporate at least two of the following for at least 10 feet at intervals of 60 feet or less: 1) A minimum 2 foot job in vertical plane; 2) A minimum 1 foot 6 inch change in height; 3) A change in basic materials such as from wood to masonry. Walls and fences continuous for more than 50 to 80 feet along public streets must have a minimum 10-foot landscaped setback from the property line. This landscaping should be installed by the developer and should be maintained by the property owner along all minor streets and along major streets that provide access to the project. All required landscaping shall be drought tolerant, native species, from an approved list provided by the Templeton Community Services District and/or the County.

**Guideline Met:** There is an existing solid 6-foot tall wood fence along the property boundary, and cobblestone fences along the eastern property boundary. The property is fronted by a short extension of Main Street, and faces Highway 101. Landscaping is installed outside of the fence, which breaks up the solid appearance of the fences, which meets the intent of the guideline.

**Guideline V.C.2: Fence/Wall Materials and Detailing:** Fences and walls visible from public streets should be constructed of durable, high quality materials and should display a high level of quality in finish and detail. In general, walls should be constructed of unit masonry, river cobblestone or should complement and be harmonious with the project building architecture. Walls with a lesser quality of finish and detail may be considered for approval if they are continuously screened by landscaping. Unfinished precision block concrete walls are unacceptable.

**Guideline Met:** There are existing six-foot tall solid wooden and cobblestone fences along the eastern and southern boundaries of the project site and adjacent development to the north. The cobblestone detail faces Highway 101, consistent with this guideline.

**Guideline V.E.1: Setbacks:** Front and street side setbacks shall be 10 feet minimum, and parking drives and areas should setback 20 feet minimum. Setbacks should be landscaped to retain natural features and be compatible with the existing landscape and the rural character of Templeton and its arid environment. Low walls of native stone, wooden rail fences, berms and native rocks and boulders are recommended along streets. Where development is located next to a residence or residential land use category, provide a sound attenuation wall and landscaping within the setback that is required by the Land Use Ordinance, regardless if the area is fenced from view, as a buffer from non-residential activity.

**Guideline Met:** The existing development is consistent with these standards. Front and side setbacks would be 150 and 55 feet, respectively. Solid fencing and cobblestone walls are located along the perimeter of the site. Sound attenuation will include structures, fencing, and landscaping along the affected property boundary.

**Guideline V.E.2: Building Location:** Periodically locate buildings adjacent to the major road frontage of sites, with at least one public building entrance facing the street. Locate buildings on adjacent sites to orient and relate to each other. Avoid double blank walls facing one another at the property line.

**Guideline Met:** The existing development includes the Weyrick Lumberyard commercial building on the parcel to the north, which faces the front property line. Additional structures proposed onsite would be located within the fenced and landscaped storage area. The project does not include double blank walls.

**Guideline V.E.3: Site Alteration and Coverage:** Minimize grading and coverage with buildings and parking to 70% or less of each site exclusive of setbacks, leaving the remainder in open area, landscaped in native-type plants, incorporated within parking areas and the project's design.

**Guideline Met:** The project consists of lumberyard sales and storage, and saw equipment. Structural coverage would be limited to approximately 18% of the eight-acre project site. The remaining parcels (Residential Rural zone, and Commercial Retail zone) would remain undeveloped. The project meets the intent of the guideline.

**Guideline V.E.5: Service Areas:** Locate structures to conceal all service areas and storage areas from public street view. Incorporate these areas into the main building whenever possible.

**Guideline Met:** The storage yard would be shielded from public view by existing solid fencing and landscape screening. Pole barn structures are proposed to shield materials storage from public view.

**Guideline V.E.10: Entry Location/Design:** Access roads for commercial developments should be located at least 200 feet apart unless a joint/shared driveway is designed. Also, separate private property driveway entries should be located a minimum of 10 feet from property lines. Driveway entries should be at least 25 feet wide and preferably 30 to 35 feet wide so that an entering vehicle does not interfere with an exiting vehicle.

**Guideline Met:** The existing driveways are located approximately 300 feet apart. The driveway leading to the existing commercial building 40 feet wide, and the driveway leading to the materials storage area is 30 feet wide.

**Guideline V.F.1: Lighting:** All lighting shall be shielded so that neither the lamp nor the reflector interior surface is visible from any location off site. All lighting, poles, fixtures, and hoods shall be dark colored. No exterior lighting shall be installed or operated in a manner that would throw light, either reflected or directly, in an upward direction except for flags or other objects specified below. Lighting shall further be designed to meet the following specific criteria.

Light trespass at property line. Illumination from light fixtures on commercial property shall not exceed 0.5 foot candles.

Illuminated flags or other objects. Fixtures shall use a narrow cone beam of light that will not exceed 5.0 foot candles nor extend beyond the illuminated object.

Architectural and decorative lighting. Upward directed decorative lighting shall not be visible above the building roofline.



Externally illuminated building identification signs. Signs shall only use shielded light fixtures mounted on top of the sign structure and will not exceed 1 foot candle reflected at 10 feet.

Outdoor light fixtures. Shall be directed so that there will be no objectionable direct light emissions. Light fixtures near adjacent property may need shielding to prevent light trespass.

**Guideline Met:** The operational hours of the lumberyard would be limited to daytime hours. Existing exterior lighting is limited to shielded lighting, and decorative lighting consistent with the guidelines. No additional lighting is proposed.

**Guideline V.F.2: Signs.** All signs shall be shown on land use permit applications.

**Standard Met:** No signage is proposed.

**Guideline V.F.3: Business Hours.** The conduct of business is limited to 5:00 am and 11:00 pm daily for any business within 500 feet of any residential land use category, unless alternative hours are approved as part of any land use permit.

**Guideline Met.** The hours of operation of the proposed project are 6:00 am to 6:00 pm to avoid noise impacts for neighboring properties.

## ENVIRONMENTAL DETERMINATION

The project is eligible for a General Rule Exemption because:

- The site is in a urban area;
- The site has slopes less than 20 percent;
- The subdivision conforms to the General Plan and Land Use Category maps;
- All services and access to the proposed parcels are available and meet local standards;
- No special status animals and no state or federally listed animals were located on the property as noted in the Biological report (July 2015, Althouse and Meade, Inc.),
- No significant cultural resources were identified as a result of Archaeological survey (February 17, 2015, Heritage Discoveries, Inc.),
- It is not anticipated that the project will impact paleontological resources, no mitigation in required. However, to ensure avoidance of any future possible impact on the undeveloped lots, the applicant has will be submit for review and approval a detailed research design for Paleontological Monitoring and Recovery Plan.
- Therefore, it can be determined that any future development would not create a significant effect on the environment.

## COMMUNITY ADVISORY GROUP COMMENTS

Templeton Area Advisory Group approved the project on consent, December 17, 2016.

## AGENCY REVIEW

**Public Works** – Stock conditions apply for land use permit and parcel map.

**County Environmental Health Department** – The office is in receipt of preliminary evidence of water.

**Templeton Fire** - Fire Department has reviewed the project and did not have concerns regarding the proposed project and proposed subdivision. The project is subject to fire capital facilities fees administered through Templeton Community Service District. Fire safety requirements are stated in a letter dated March 9, 2016.

**Templeton Community Service District** – Conditional “will serve” letter submitted for water and sewer dated November 4, 2008 for 6-water units. Referral Response dated September 4, 2014 stated that this is not a will serve commitment. That an application prior to the subdivision is required and the Templeton Community Service Regulations do not allow the transfer of water units from one parcel to another unless the lots are first merged and then water units reassigned upon subdivision of the land.

**Staff Comments:** The existing parcel is one legal lot (L-2) and the property has already been merged. There are 6-water units available. There are ample units available for the the proposed parcel split.

#### **LEGAL LOT STATUS**

The parcel is a portion of Lot 30 of the Subdivisions of the Rancho Paso de Robles which was filed for record October 22, 1886, and was legally created by deed at a time when that was a legal method of creating parcels.

Staff report prepared by Holly Phipps and reviewed by Karen Nall, Supervisor.